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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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07/24/2003

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116571

8193

25944 7590 08/31/2007
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EXAMINER

HUFFMAN, JULIAN D

ART UNIT

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2853

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10625778	7/24/03	MORIMOTO, YOSHINARI	116571

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EXAMINER

Julian D.. Huffman

ART UNIT	PAPER
2853	20070823

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Commissioner for Patents

The reply brief filed 3 August 2007 has been received. Attached is a Supplemental Examiner's Answer to the reply brief to address new arguments presented in the reply brief.

Julian D. Huffman
Primary Examiner
Art Unit 2853
23 August 2007

Supplemental Examiner's Answer

This Supplemental Examiner's Answer addresses new arguments presented in the reply brief filed 3 August 2007.

1. Appellant newly argues that "it would be very, very difficult, it not impossible, for the selection of a patch in the interval between printings on the same print medium... once a set of patches was printed, a user would have to somehow evaluate the patches while the printing medium remains in the printer, and enter a selection of a patch, all before the next set of patches was printed on the same print medium".

Takahashi prints a test pattern, measures it with a sensor and selects a best patch from the test pattern, then prints a confirmation pattern so the user can confirm the result of the sensor.

Michel prints a pattern, a user selects a patch, the device makes the selected patch the center of a new pattern, prints a new pattern and the user selects the best patch a second time.

In the prior art, test patterns are either read by a sensor, or by a user or operator. Takahashi relies on the sensor to perform the measurement of the test patch. The user only confirms the result. This is apparent from column 5, lines 51-61 which state:

"Therefore, the object of the invention is to realize a dot alignment method which is excellent in operational performance and the low cost.

Moreover, the invention, without fundamentally enforcing the user the judgment and the adjustment, is designed to detect the optical characteristics of the printed image to derive the adjustment condition of the optimum dot

alignment from the detected results and to set the adjustment condition automatically, thereby to improve the adjustment accuracy thereof. "

Thus, "to modify Takahashi so as to reprint the selected test pattern as suggested by Michel et al. for the purpose of enabling errors to be readily detected and corrected by employing an iterative process with coarse and fine iterations" requires using the sensor of Takahashi to perform the measurements of the test pattern, and not the user or operator, thereby providing excellent performance and low cost without requiring the user to perform the majority of the determination. Appellant's apparent assertion that the user must visually select the patch is false. Accordingly, the paper need not leave the print medium between the printing of each pattern since the sensing device automatically senses the paper as it is in the printer.

2. Appellant argues that "Takahashi utilizes expensive measuring instruments such as sensor group 130 and controller 100... the sophisticated measuring instruments of Takahashi are capable of accurately recognizing subtle differences in the printed patterns without utilizing a more time and resource intensive iterative reprinting of previously selected patterns... an iterative process would be unnecessary for use with the sophisticated measuring instruments of Takahashi".

The sophistication and cost of Takahashi's sensor is respectfully irrelevant.

There is not a single teaching in Takahashi that the examiner is aware of that would lead one of ordinary skill in the art to describe the sensor group as "expensive" and "sophisticated". Takahashi states that the invention is "low cost" as already cited above.

It is not clear what constitutes an expensive or sophisticated sensor. These are relative and indefinite terms.

Takahashi's measuring instruments require their detected result to be confirmed by printing a confirmation pattern. It logically follows that Takahashi's sensors cannot be sophisticated or expensive if their results must be confirmed. It is more logical to conclude, based on the disclosure of Takahashi, that the sensors are cheap and elementary thereby lowering the cost of the device, than to conclude that they are expensive and sophisticated (see passage cited above from Takahashi).

3. Appellant refers to the "more time and resource intensive iterative reprinting". The combination provides clear benefits, thus the alleged draw-backs referred to by Appellant are irrelevant. Further, Takahashi already prints a confirmation pattern.

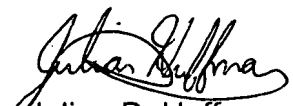
The rejection should be sustained for the reasons provided in the Examiner's Answer mailed 5 June 2007 and also the reasons provided in this Supplemental Examiner's Answer that addresses only new arguments presented by Appellant.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian D. Huffman whose telephone number is (571) 272-2147. The examiner can normally be reached on 10:00a.m.-6:30p.m. Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Julian D. Huffman
Primary Examiner
Art Unit 2853
23 August 2007

Conferee:

Stephen Meier *sm*

Conferree and Tech Center Designee:

David Blum *DS*